



Fast Facts

CALIFORNIA DEPARTMENT OF HEALTH SERVICES

CALIFORNIA'S ANTI-TOBACCO EFFORTS

With the passage of Proposition 99 by the voters in 1988 and the enactment of subsequent legislation throughout the 1990s, California has mounted the largest and most comprehensive anti-smoking campaign in the United States. This campaign continues to set the standard for the rest of the nation and the world, with its emphasis on synergy among local interventions, regional coalitions, media, research, and evaluation. More smoke-free homes, a sweeping workplace smoking ban, less outdoor advertising luring kids toward tobacco use, and an overwhelming decline in the acceptability of tobacco use overall are the primary results attained in California.

California's internationally regarded tobacco education and prevention program was launched with the goal of changing public perceptions of tobacco use. To accomplish this, the campaign has focused on four key areas: countering pro-tobacco influences, protecting youth and adults from secondhand smoke, reducing the availability of tobacco products to youth, and providing support for quitting tobacco use. California's program currently involves 61 county health departments, approximately 100 community-based organizations, 4 ethnic networks, 11 regional community linkage projects, and nearly 1,000 school districts across the state working together in a coordinated, multifaceted effort to promote a social norm of rejecting tobacco use. California's anti-smoking efforts have contributed to a significant reduction in tobacco use among adults and youth. From the inception of Proposition 99 through 1999, adult smoking prevalence dropped by more than 30 percent, youth smoking at 6.9 percent is the lowest in the nation, and per capita cigarette consumption in California fell by more than 50 percent.

California's Anti-Tobacco Legislation

The following bills governing sales and use of tobacco were signed into law in the years denoted.

2000

- Senate Bill (SB) 1038 (Burton) increases the conditions that must be met regarding cigarette labeling and importation prior to stamping or metering required by the Cigarette and Tobacco Products Tax Law.

1999

- Assembly Bill (AB) 1595 (Migden) requires, beginning on September 1, 2000, one of three specified warning labels to be placed on cigar packs, boxes, cartons, pouches or other containers in which cigars are sold, but excluded cellophane wrappers, tubes, and similar wrappings in which individual cigars are sold.

- SB 702 (Peace) prohibits any stamp or meter impression from being affixed to, or made upon, packages of cigarettes if the package is labeled for use outside the United States, has been altered, or was imported in violation of federal law.
- SB 822 (Escutia) requires any tobacco products manufacturer selling cigarettes to Californians to comply with the federal tobacco settlement (Master Settlement Agreement) terms as a participating manufacturer, or place funds in escrow calculated on the basis of units of tobacco products sold, which could be used to pay a judgment or settlement to the state, or, in certain circumstances, could be released back to the manufacturer.

1998

- SB 2134 (Burton) prohibits cigarette distributors from placing tax stamps or metering on cigarette packs that do not comply with federal requirements for labels, warnings, or other information on cigarette packs prior to distribution in the United States. This law also requires the State Board of Equalization to revoke the license issued to a distributor that is determined to be in violation of these stamping or metering requirements.

1997

- AB 1603 (Bustamante) clarifies the existing product liability law to explain that public entities such as state and local governments may sue tobacco product manufacturers to recover the value of benefits provided to individuals injured as a result of using tobacco products as directed and intended by the manufacturers.
- SB 198 (Kelley) made the requirements for warning signs regarding tobacco sales to minors consistent with the warning sign requirement in the Stop Tobacco Access to Kids Enforcement (STAKE) Act and reiterated the penalties for failing to post the age-of-sale warning notice.
- AB 752 (Migden) bans outdoor tobacco billboards within 1,000 feet of elementary, junior high, and senior high schools and public playgrounds. This is significant because, prior to this legislation, 49 percent of the tobacco billboards throughout the state were located within 1,000 feet of schools.
- SB 67 (Kopp) created the opportunity for individual consumers and third parties (such as the state and local governments) to initiate product liability actions against the tobacco industry. Prior to this legislation, tobacco product manufacturers were exempted from product liability actions brought by individual consumers.

1996

- AB 3037 (Cannella) requires that, if practicable, a gaming club, bar, or tavern must establish a designated nonsmoking area and that, if feasible, no employee, in the performance of ordinary work responsibilities, had to enter any area where smoking is permitted. Additionally, the exemption of gaming clubs, bars, and taverns from becoming smoke-free was extended to January 1, 1998.

1995

- AB 686 (Tucker) prohibits the sale of tobacco products from all vending machines, except in establishments whose proprietors possess public premises liquor licenses. At the time this law was signed, 128 cities and counties in California already had ordinances in effect that eliminated or restricted sales of tobacco products from vending machines.

1994

- SB 1927 (Hayden) established the Stop Tobacco Access to Kids Enforcement (STAKE) Act, which reduces youth access to tobacco products. This requires tobacco retailers to check the identification of anyone buying tobacco who appears to be under 18 years old; requires posting, at points of sale, signs stating that selling tobacco products to youth under the age of 18 is illegal and the toll-free number, 1-800-5 ASK-4-ID, for reporting unlawful tobacco sales; mandates compliance checks of tobacco retailers; and imposes significant fines on violators.
- AB 13 (Friedman) provides the most sweeping workplace smoking ban in the nation. Although aimed primarily at the adult work force, AB 13 also protects younger employees, as well as children accompanying adults, from the harmful effects of secondhand smoke in enclosed workplaces.

1993

- AB 291 (Speier) put into statute the governor's 1992 executive order banning smoking in more than 20,000 state-owned or leased buildings.
- AB 615 (Gotch) banned smoking in child day care facilities, including private residences that are licensed as family day care homes.

1991

- SB 1100 (Bergeson) banned the free or “nonsale” distribution of smokeless tobacco or cigarettes to any person on or in public property, including streets and sidewalks, parade grounds, fairgrounds, transportation facilities, recreational facilities, and public office buildings.

Media Campaign

California's tobacco control program includes an aggressive, nationally recognized Tobacco Education Media Campaign (TEMC). The TEMC utilizes hard-hitting paid advertising and public service announcements (television, radio, billboards, transit, and print) with thought provoking messages to effectively communicate the dangers of tobacco use and secondhand smoke, and to counter pro-tobacco messages throughout California's ethnically diverse communities.

According to an article in the American Journal of Public Health (September 1995), a reduction in cigarette sales by 232 million packs, from the third quarter of 1990 through the fourth quarter of 1992, was a direct result of the anti-smoking media campaign. These effects of California's anti-tobacco advertising occurred despite the tobacco industry's escalation of advertising and promotions in response to the state's program.

An evaluation of the tobacco control program by the University of California, San Diego, covering 1989-1996, showed that current smokers who were exposed to anti-smoking advertisements were more likely to attempt to quit smoking. During this same period, exposure to anti-tobacco advertising significantly increased the percentage of smokers who did not believe the tobacco industry's messages about industry advertising practices or the health consequences of smoking and secondhand smoke.

The TEMC continues to target both adults and youth, with a focus on countering pro-tobacco influences, showing that secondhand smoke kills, reducing the appeal and availability of tobacco to youth, and supporting the Smokers' Helpline, which provides one-on-one counseling in multiple languages for smokers who want to quit.

Protection from Environmental Tobacco Smoke

One of California's most remarkable successes has been in the area of educating Californians about, and protecting them from, the dangers of exposure to environmental tobacco smoke (ETS), both in the workplace and at home. Virtually all indoor workplaces in California are now smoke-free, since bars, taverns, and gaming clubs went smoke-free on January 1, 1998. The number of voluntary smoke-free policies has also risen dramatically. In 1997, over 73 percent of Californians reported having a complete smoking ban in their home.

STAKE (Stop Tobacco Access to Kids Enforcement) Act Program

In 1995, the state launched the STAKE Act Program, a unique partnership between communities and private business aimed at curbing youth smoking and reducing illegal sales of tobacco products to minors. The STAKE Act Program includes retailer education, a toll-free number for reporting tobacco sales to minors, and compliance checks of retailers.

- From the beginning of the program in September 1995 through November 2000, 9,875 compliance checks of retailers were conducted throughout California. These compliance checks disclosed 2,837 illegal sales of tobacco to minors.
- The STAKE Act Program's 800 number has generated over 30,000 calls from its premiere in September 1995 through November 2000.
- As of November 2000, 2,533 cases of illegal sales to minors by retailers have been closed during the penalty assessment phase, and the amount of fines collected by DHS was \$769,550. Additionally, 448 cases have been referred to the Office of Legal Services for further action. Of those, 83 cases are pending administrative hearings, 79 resulted in default judgments, and 269 paid the fine after receiving a notice from the

Office of Legal Services. Of the 55 administrative hearings conducted from the beginning of STAKE Act enforcement through November 2000, all final decisions but two have been in favor of the state, and the penalty assessments have been paid or are pending.

Monitoring Success

The evaluation component of California's statewide tobacco control program provides formative information and data that demonstrate the program's impact and effectiveness. The evaluation, comprising various surveys, an independent evaluation, and local programs evaluations, identifies intermediate measures of program effectiveness in addition to continuous surveillance that monitors such indicators as cigarette smoking prevalence and cigarette consumption. Other topics tracked by the evaluation include public attitudes and behaviors relative to tobacco use, illegal sales of tobacco, tobacco industry spending and marketing activities, and exposure to secondhand smoke.

California Smokers' Helpline

With a quit rate over 26 percent, the California Smokers' Helpline is lauded as a model program. The Helpline provides toll-free telephone counseling, self-help materials, and referral lists of available resources in the caller's community. The Helpline services are available in English, Spanish, Mandarin, Cantonese, Vietnamese, Korean, and TDD/TTY. Additionally, the Helpline has specialized counseling for teens, pregnant women, and users of chewing tobacco.

From its inception in 1992 through November 2000, over 149,000 tobacco users have received the services of the toll-free Helpline. Below are the toll-free numbers:

- 800-NO-BUTTS English
- 800-45-NO-FUME Spanish
- 800-556-5564 Korean
- 800-778-8440 Vietnamese
- 800-400-0866 Cantonese and Mandarin
- 800-993-4TDD Deaf
- 800-844-CHEW Chewing Tobacco